# Nova Scotia Department of Justice
# Business Plan

# 2004-2005

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## Message from the Minister and Deputy Minister

There's a common theme running through the annual business plan that will guide the Department of Justice in 2004-2005: Service. Nova Scotians rely on our many dedicated employees who provide justice-related services across our province.

Staff are committed to the fair and effective administration of justice. And this business plan helps them stay focused on that commitment. The plan sets out goals and objectives that ensure we do everything possible to meet the needs of those who use justice services. It also helps us stay accountable.

As always, we welcome the opinions and suggestions from Nova Scotians. After all, it's their Department of Justice!

Michael G. Baker, Q.C.
Minister

Douglas J. Keefe, Q.C.
Deputy Minister

## 1. Mission

The Department of Justice is committed to the fair and effective administration of justice and to excellence in service for the people of Nova Scotia.

## 2. Planning Context

The Department of Justice is responsible for the administration of justice in Nova Scotia and ensuring that public affairs are conducted in accordance with the law. Indeed, the rule of law is fundamental to democratic government.

The Department oversees the functioning of the justice system by working cooperatively with all components (Public Prosecution Service, Nova Scotia Legal Aid, the N.S. Barristers' Society, the police, the judiciary, the federal government and various non-governmental organizations) of the justice system. To accomplish its mandate the Department has seven divisions: Court Services, Legal Services, Correctional Services, Policing and Victim Services, Finance and Administration, Human Resources, and Information Management. See Appendix A for the Department's organizational chart.

In order to obtain broader input and support for the business plan, senior management created the Justice Partners Forum which consists of representation from: the N.S. Barristers' Society, Legal Aid, Public Prosecution Service, the Canadian Bar Association, the judiciary, Justice Canada, Association of the Chiefs of Police and the Assistant Commissioner of the RCMP. The Forum provides an avenue for the key participants in the justice system to work together to achieve common goals while respecting the autonomy of each. Senior management also formed the Justice Management Team, an entity made up of management from all divisions, and involved this group in the development of the business plan. Bringing together wisdom from a broad spectrum enabled a more comprehensive and strategic plan, and a wider understanding by all divisions of the Department's purposes and goals.

***Opportunities and Challenges***
The Department of Justice provides appropriate programs and services to strengthen and improve society in Nova Scotia through the order that is democratic and just.

The following provides a summary of significant initiatives and circumstances that have influenced planning for 2004-2005:

*Legislative Demands*

The federal government introduced the *Sex Offender Information Registration Act* in December 2002 and the Bill passed third reading on November 5, 2003. Preparation for the implementation of the sex offender registry is underway and the Department, in consultation with relevant justice partners and in particular the RCMP, is working on the development of registration and enforcement protocols, as well as training modules.

The Department will also be involved in implementing program changes as a result of other federal legislation, such as *Criminal Code* amendments pursuant to Bill C-45 which deals with corporate liability. After the Westray incident, Nova Scotia played a significant role in moving this legislation forward.

Proposals to change provincial legislation, in particular the *Police Act* and *Corrections Act,* are anticipated during 2004-2005. These changes will modernize existing legislation and reflect current theory and practice in both the police and corrections fields.

*Aging Physical Infrastructures*
Justice is the third largest 'tenant' in the government, occupying more than one million square feet, much of it highly specialized. Work continues on the renovation or replacement of aging structures, as resources become available. This fiscal year will see the construction of a new courthouse in Port Hawkesbury and the design and preparation of a tender for a new court facility in Lunenburg County. Renovations will also take place in other courthouses throughout the province, including a prisoner elevator to access the courtrooms in Kentville.

A study is also underway on the Halifax Regional Municipality court facilities which will review current facilities and identify future needs and options. As a result of this review, a 35 year master plan for court facilities within the municipality will be developed. A long term plan is required to ensure that resources are invested wisely to meet demographic and population changes.

*Public Safety and Security*
In the wake of September 11, 2001 the thrust of public safety and security initiatives was on the ability to respond to immediate perceived threats. The Department's focus has expanded to developing relationships with the broader stakeholder community and across jurisdictions to address historic and emerging public safety issues. Because the counter-terrorism threat is international, we are largely dependent on the federal government for prevention. The challenges continue to be coordination, resources and sharing of information. We must work effectively with others to achieve outcomes in the public interest.

Efforts are underway to strengthen and modernize governance in public policing. The Department also recognizes that there has been significant growth in the private security industry and is initiating discussions on legislative reform. Public expectations of the enforcement

community continue to grow while that same community faces an even more complex environment with tightly managed financial resources. New challenges, such as implementation of the proposed national sex offender registry, compete for resources with other identified priorities and needs. The Department strives, through consultation and facilitation, to bring partners together to find collaborative and innovative responses in this environment. The transition to active and stronger partnerships in the enforcement community allows for full participation in the development of standards and training approaches which fulfill effective and efficient policing while being sensitive to community needs.

*Renewed Youth Justice System*
The renewed youth justice system, through the implementation of the *Youth Criminal Justice Act (YCJA),* focuses on providing appropriate responses to youth crime. While formal measures, including custody, are still available for offences that warrant this approach, the legislation also encourages the use of informal responses that focus on accountability, and involve communities, victims and families. Programs such as the Intensive Support and Supervision strategy have been recently implemented to address the need for community-based programming and supervision of high-risk, high-needs youth. Community program development continues to be a significant responsibility of the Department in 2004-2005.

*Court Accessibility and Timeliness*
While the establishment of youth courts in Halifax and Sydney will help alleviate the load on the Family Division, backlogs continue at the Family Division and many Provincial Court locations. Given fiscal realities, there is a need to respond in creative ways. The Department is proactively addressing court accessibility and timeliness issues by assessing and evaluating court processes and making improvements.

*Human Resources*
The Department is facing the demographic challenge of an aging workforce across all operational divisions. Strategies to capture corporate memory and expertise as well as to retain and recruit professional staff are essential. The Department recognizes, as does the Government, that a professional public service must be maintained to meet the needs of the public and businesses in Nova Scotia.

*Information Management*
The Information Management Division was established to better address rapidly growing business needs for information solutions, whether they be technological (IT) or process in nature. The division leads the development of information solutions in the justice system with an emphasis on integration, efficient operations, access, transparency, and better data for social and business decisions.

To enhance evidence-based decision-making, the Department is developing meaningful justice indicators for strategic and business planning activities at both the departmental and operational levels. Justice indicators are direct and indirect measures that help identify problems areas, develop public policy, evaluate programs, manage departmental business, and generally monitor the overall 'health' of the justice system.

The new Justice Enterprise Information Network (JEIN), scheduled for implementation in 2004, will put Nova Scotia in the lead with the most integrated justice information system in Canada. This system will allow even greater connectivity to justice partners, is easier to use, is less costly to run than the current system, and is more technologically adaptable to future requirements.

While the JEIN system will be a significant benefit to the justice enterprise, there is also an increasing need and demand for other IT solutions to make systems/processes more efficient and effective. New and/or enhanced IT solutions depend on availability of our already taxed resources. Balancing business priorities and cost of proposed solutions will continue to be a significant challenge for the Department.

*Financial*
Despite fiscal challenges, the Department is consistently on budget. Multi-year plans and priorities are set in order to accomplish established strategic directions in a fiscally responsible manner. The Department is currently attempting to develop strategic financial capacity for the justice system as a whole so it becomes most cost-effective. The Department will continue to look to long-term fiscal solutions to assist itself and the government as a whole with respect to its fiscal situation.

## 3. Strategic Goals

The Government of Nova Scotia has set the following priorities for 2004-2005:

1. Building greater prosperity
2. Health care - better, faster health care and healthier Nova Scotians
3. Learning is succeeding
4. Fiscal responsibility and accountability
5. Protecting what Nova Scotians value:
    - Seniors
    - Families and Nova Scotians in need
    - Environment
    - Cultural diversity
    - Consumer protection/insurance
    - Safer communities/streets

In order to place government priorities in context with the goals and objectives of the Department of Justice, it may be helpful to understand the vision of the Department:

*Vision Statement:*
Nova Scotia is seen to be a place where people and their rights are respected. Justice will provide leadership in partnership with others to build a Province where:

- Citizens trust the justice system;
- People are and feel safe and secure;
- Disputes are effectively and sensitively resolved;
- Access to justice processes are timely and affordable;
- Communities actively participate in the justice system;
- Diversity is valued and respected.

The strategic goals of Justice are intended to advance the Justice Vision Statement and the Government's priorities. These goals, which have been a mainstay of the Department over the past years, are to:

- Improve public safety and security;
- Reduce the harmful impact of crime on victims;
- Improve access to justice;
- Promote the lawful administration of public affairs.

The strategic goals are aligned with government priorities. Improving public safety and security, and reducing the harmful impact of crime on victims, will help to reduce the demand for health services. Protection of personal and property rights through principled decision-making underpins all economic activity. A safe Nova Scotia will stimulate the economy as people prefer to live in a place where they feel safe. The ability to access justice services makes Nova Scotia an attractive place to live and stimulates economic growth in the province. The lawful administration of public affairs provides a healthy environment that will encourage economic growth and prosperity. To be successful in reaching its goals, the Department provides numerous training opportunities and has its own Justice Learning Centre designed to provide responsive educational programs and services for justice personnel. This promotes a life-long learning environment in the justice system.

Achievement of the Justice vision and strategic goals promotes Nova Scotia as 'the' safe community in which to live and grow.

## 4. Core Business Areas

***Oversight, governance and advice to police and private security services***
Improve public safety and security by:
- providing an advisory role to all police services and managing contracts with the RCMP and First Nations Policing;
- improving public accountability of policing through improved governance;
- strengthening policing initiatives through the development of standards and training in partnership with stakeholders;
- licensing companies and individuals engaged in the private security industry;
- working with communities to develop and implement crime prevention programs.

***Administration of the licensing provisions of the federal Firearms Act***
- licensing of firearms owners/businesses;
- monitoring of continuous eligibility of firearms owners;
- designation/inspection of firing ranges;
- authorization to transfer/transport firearms;
- delivery of firearms safety courses.

***Provision of assistance to victims of crime***
Reduce the harmful impact of crime on victims by:
- working with justice partners and the community to develop and implement policies and programs for victims of crime that address their needs;
- providing direct services to victims through four core programs: the Regional Victim Services Program, the Criminal Injuries Counselling Program, the Victim Impact Statement Program, and the Child Victim/Witness Program.

***Principled dispute resolution mechanisms***
Improve access to justice and improve public safety and security by:
- administering the following courts: Nova Scotia Court of Appeal; Supreme Court of Nova Scotia, General and Family Divisions; Provincial Court; Family Court; Small Claims Court; Summary Proceedings Court;
- managing programs in support of the Family Division, including conciliation, mediation, parent information and supervised access;
- providing security and transportation of prisoners to and from court;
- providing administrative support to the Justices of the Peace;
- managing the Maintenance Enforcement Program;
- managing the Restorative Justice Program.

***Correctional services***

Improve public safety and security by:

- administering and operating five adult correctional institutions, two young offender facilities, and sixteen community corrections offices.

***Legal services to government***

Promote the lawful administration of public affairs by:

- providing legal advice and representation to all government departments and agencies.

***The proper administration of justice in the Province in partnership with others***

Improve public safety and security, and promote the lawful administration of public affairs by:

- providing legal representation to qualified applicants with priority for matters involving the liberty and civil rights of individual clients and for matters involving the integrity and protection of an individual's family through the Nova Scotia Legal Aid Commission;
- conducting, through the Office of the Medical Examiner, investigations into all deaths due to violence, undue means, culpable negligence and sudden unexplained deaths; and providing documentation including cause and manner of death;
- providing trustee services for incompetent adults/infants and missing persons through the Office of the Public Trustee;
- coordinating administration of the *Freedom of Information and Protection of Privacy Act*.

## 5. Priorities

The following identifies key priorities in each of the core business areas.

***Oversight, governance and advice to police and private security services***

- Prepare for consideration by government a new *Police Act* and regulations to reflect current accepted policing practices and standards;
- Continue to work with the federal government, RCMP, and local law enforcement agencies to take the necessary steps to protect public safety in the face of new terrorist threats. This is a multi-year commitment. Phase 1 will involve, for consideration by government, the preparation of a strategic initiative, in partnership with the policing community, to improve public safety;
- Better monitoring of sex offenders in Nova Scotia by supporting the Federal Government in implementing a national sex offender registry.

***Administration of the licensing provisions of the federal Firearms Act***

- Convergence of provincial operational procedures with the federal firearms service delivery model.

***Provision of assistance to victims of crime***

- Provide resources to support the Domestic Violence Case Co-ordination Program.

***Principled dispute resolution mechanisms***

- Enhance the effectiveness, efficiency of and access to courts by:
  - assisting and educating self-represented litigants;
  - assessing and evaluating court processes, and making recommendations for enhancing efficiencies and effectiveness, and continuous improvement opportunities;
- Improve access to the Supreme Court Family Division by making application to the federal government to expand services province-wide.

***Correctional services***

- Prepare for consideration by government a modern *Correctional Services Act* which will update the governance structure for the administration and operation of correctional facilities in addition to programs and services for adult offenders and young persons both in custody and in the community;
- Open the new Southwest Nova Scotia Correctional Facility for adult offenders, located in Yarmouth, which has state-of the-art security features that will provide a healthy, secure environment for correctional workers and ensure the safety of the public.

***Legal services to government***

- Assess and analyse the delivery of legal services to ensure they are provided in the most efficient manner, and that costs of same are distributed equitably.

***The proper administration of justice in the Province in partnership with others***

- Implement the new Justice Enterprise Information Network to facilitate the exchange of information among justice partners and to assist in meeting the requirements and objectives of the *Youth Criminal Justice Act.* Given the complexity of this undertaking, it is a multi-year project: Phase 1 *Impact Analysis* commenced in December 1999; Phase 2 *Detail Design* commenced in November 2000; Phase 3 *System Construction* commenced in December 2001;
- Support the effectiveness and efficiency of administrative tribunals in Nova Scotia by educating tribunal members with respect to conducting hearings and writing decisions;
- Support the Minister responsible for Sunday shopping in organizing a plebiscite in the Fall of 2004 to determine if Nova Scotians want Sunday shopping;
- Support the Minister of Justice in sponsoring an all-party resolution of the legislature calling on Ottawa to stop allowing conditional sentences for violent crimes, like manslaughter and sexual assault.

## 6. Budget Context

| | Forecast 2003/04 | Budget 2004/05 |
|---|---|---|
| | 000's | 000's |
| Total Program Expenses - Gross Current | $197,946 | $200,395 |
| Net Program Expenses - Net Programs | 95,917 | 99,626 |
| Salaries and Benefits | $ 78,150 | $ 78,516 |
| Funded Staff (FTE's) | 1,363.1 | 1,381.4 |

## 7. Performance Measures

| Outcome | Measure | Base Year Measure | Target 2004-2005 | Strategies to Achieve Target |
|---|---|---|---|---|
| **Core Business Area: Oversight, governance and advice to police and private security services** | | | | |
| Effective and efficient policing services | Percentage of municipal police services with self-audit program in place | 36%[1] **(2001-2002)** | 90% or more | Develop a comprehensive audit policy, self-audit standard, and auditing schedule in consultation with policing stakeholders. |
| **Core Business Area: Administration of the licencing provisions of the federal *Firearms Act*** | | | | |
| Timely processing of individual firearms licence applications | Median number of days from date application received from the federal Central Processing Site until decision rendered: a) where no investigation is required: b) where an investigation is required. | a) 3 business days<br>b) 43 business days **(2003)** | a) 6 business days<br>b) 30 business days | Active monitoring of processing time by Chief Firearms Officer |
| **Core Business Area: Provision of assistance to victims of crime** | | | | |
| Timely provision of service | Percentage of cases where contact with client is initiated within 5 days of referral (Regional Victim Services) | 81% **(2001-2002)** | 85% | Active monitoring of time from referral to initial contact by Regional Victim Services program manager. |
| | Median number of days from date application received until decision rendered (Criminal Injuries Counselling program) | 33 days **(2001-2002)** | 40 days or less | Active monitoring of time of processing of Criminal Injuries Counseling program cases by program manager. |
| Satisfied clients | Client assessment of service on 5 point scale with 1 being poor and 5 being excellent (Child Victim Witness program - client interview) | Average score of 4.5 **(2000-2001)** | 4.0 out of 5 or higher | Active monitoring of closure questionnaire for all cases involving child victim witnesses by Coordinator, Community Programming and Research. |

[1] A figure of 45% for 2002 was reported in error in the 2003/2004 Business Plan.

| Outcome | Measure | Base Year Measure | Target 2004-2005 | Strategies to Achieve Target |
|---|---|---|---|---|
| Effective targeting of service | Percentage of cases for Regional Victim Services (RVS) and Criminal Injuries Counselling (CIC) programs that are in priority group (e.g.,domestic violence cases, offences involving children, homicide, offences causing bodily harm/death, physical assault, robbery, sexual assault, criminal harassment, uttering threats, hostage-taking and kidnapping.) | RVS - 75%<br>CIC - 88%<br>**(2001-2002)** | RVS - 75%<br>CIC - 80% | Outreach and promotion to key referral sources. |
| **Core Business Area: Principled dispute resolution mechanisms** | | | | |
| Reduced delay in family court processes | Percent of cases that completed conciliation within 3[2] months or less of initiation | 59%<br>**(1999-2000)** | 70% | Improve case processing through streamlining of documentation, appropriate allocation of staffing resources, and more effective case management (analysis will involve 2003/04 data) |
| Child support payments paid on time and in full | Percent of money owed in child support that is collected | 72%<br>**(2001-2002)** | 74% | Actively pursue cases in default, particularly those that have never paid. |
| Satisfied clients | Client rating of conciliator performance on 10 point scale with 1 indicating low satisfaction and 10 high satisfaction | 8.3 out of 10<br>**(2000-2001)** | 7.5 out of 10 or higher | Maintain high client satisfaction through continued emphasis on quality service and staff training (analysis will involve 2003/04 data). |

[2]This measure was changed from a 6-month time frame as reported in the 03/04 business plan to a 3-month period to more accurately reflect the goal of conciliation.

| Outcome | Measure | Base Year Measure | Target 2004-2005 | Strategies to Achieve Target |
|---|---|---|---|---|
| **Core Business Area: Correctional services** | | | | |
| Effective use of alternatives to incarceration | Offenders on probation and conditional sentence, temporary absence, and day parole divided by the number of offenders in institutions | 13 to 1 (adult)<br>10 to 1 (youth)<br>**(2001-2002)** | 14 to1 (adult)<br>10 to 1 or greater (youth) | Use of temporary absence program, parole, diversion programming, fine options, other alternatives to reduce the need to incarcerate sentenced offenders. |
| Safe and secure facility operations | Number of escapes per year | 13<br>**(2001-2002)** | 0 | Convert additional facilities for podular design. Make other modifications to structures and procedures to train staff in Nova Scotia Direct Supervision model. |
| Reduced recidivism | Percent of incarcerated young offenders who re-offend within one year | 54%<br>**(1998)**[3] | 50% | Restorative Justice, Centre 24-7, Intensive Support and Supervision, and other programs designed to reduce recidivism among youth. |
| Reduced incarceration of young offenders | Daily in-house population counts | 118<br>**(2001-2002)** | 124[4] or less | Intensive Support and Supervision strategy |
| **Core Business Area: Legal services to Government** | | | | |
| Cost-effective delivery of legal services | Annual cost to Government of private legal services | $5.9 m<br>**(2001-2002)**<br>$5.6<br>**(2002-2003)** | $3 m | Build capacity within Legal Services to do as much of Government's legal work as financially feasible. |

[3] This figure refers to offenders who were incarcerated in 1998 and who subsequently re-offended within one year of release.

[4] The target of 124 days is set by Justice Canada to reduce the number of youth in custody and was based on an analysis of the *pre-Youth Criminal Justice Act* per capita ratios of youth in custody to the population, and is incorporated into the funding federal/provincial/territorial framework for youth justice.

# Appendix A

## Department of Justice Organizational Chart